

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)	CASE NO. 1:17-MD-2804
OPIATE LITIGATION)	
)	JUDGE DAN A. POLSTER
)	
)	MAGISTRATE JUDGE DAVID A. RUIZ
)	
)	<u>PROPOSED AGREED ORDER DE-</u>
)	<u>DESIGNATING DEA SUSPICIOUS</u>
)	<u>ORDER REPORTS</u>

Pursuant to the agreement of the parties, the United States Department of Justice and the Media Intervenors, the Court hereby orders the de-designation under Paragraph 11 of Opinion and Consolidated ARCOS Protective Order (ECF No. 1545) of the Suspicious Order Reports (SORs) produced by the Drug Enforcement Administration (DEA) in this litigation as follows:

1. Upon issuance of this order, the “electronic SORS data”, which are defined as those SORS that registrants sent to DEA headquarters pursuant to memorandums of agreement, that were produced by the DEA to the parties shall be de-designated confidential and its possession, use, and disclosure will no longer be restricted by the Protective Order;

2. DEA shall have fourteen (14) days from the issuance of this order to review the remaining SORS data¹ it produced to determine whether any additional redactions are warranted for privileged information, including, but not limited to, law enforcement sensitive information, confidential source information, grand jury information, and privacy protected information. If

¹ The “remaining SORS data” includes: (1) submissions by registrants to DEA field offices, and (2) DEA-6 reports prepared by the DEA from SORS data. With respect to the first category, the DEA does not anticipate any redactions. However, due to the manner of the original production in which these two categories of documents were produced together, it is not possible to identify the two separate categories without reviewing the full production.

the DEA determines that additional redactions are warranted, it shall notify the parties and the Media Intervenors of such redactions and the basis therefore, and will provide the parties with a revised redacted version of that SOR that is not designated confidential. The Media Intervenors reserve the right to contest any additional redactions. The remaining SORS data produced by DEA to the parties shall be de-designated confidential no later than 14 days from the issuance of this order, and its possession, use, and disclosure will no longer be restricted by the protective order.

IT IS SO ORDERED.

JUDGE DAN A. POLSTER